

YELLOWSTONE RIVER RANCH ESTATES DISCLAIMER OF INTEREST.

Yellowstone River Ranch Estates has requested a Disclaimer of Interest from the Board for a 33-acre tract of accreted land adjacent to the Yellowstone River in Sections 22, 23, 26, and 27, in Township 5 South, Range 8 East, MPM, in Park County, Montana

The Department has conducted a geological review and land title analysis of the area and has concluded that the State of Montana has no claim to the lands described in the requested Disclaimer of Interest because the described lands consist of lands accreted to private lands within Section 27. The State of Montana does not own lands accreted to private lands. Instead, such lands belong to the private land owner pursuant to Section 70-18-201, MCA. The Department requests the Board's permission to issue the enclosed Disclaimer of Interest, so as to help clarify the status of title to these lands. A copy of the Disclaimer, and a map of the disputed property are enclosed.

DISCLAIMER OF INTEREST

THE STATE OF MONTANA, acting through the State Board of Land Commissioners, whose address is P.O. Box 201601, Helena, MT, 59620-1601, does hereby disclaim all interest in and to the following-described real property:

A tract of accreted land being a portion of the North half of the Northeast quarter of Section 27, a portion of the south half of the Southeast quarter of Section 22, a portion of the northwest quarter of the Northwest quarter of Section 26 and a portion of the southwest quarter of the Southwest quarter of Section 23, all within Township 5 South, Range 8 East, PMM, in Park County, Montana, being more particularly described as follows:

From the found post with Reference Monument for the corner common to Sections 26, 27, 35, and 34, T. 5 S., R. 8 E., PMM; thence N 00° 14' 01" W a distance of 2,642.85 feet to a stone marked with an "X" for the quarter corner common to Sections 26 and 27, T. 5 S., R. 8 E., P.M.M.; thence N 00° 13' 59" W along the east line of said Section 27 a distance of 1994.40 feet to a 5/8" rebar; Thence N 37° 55' 15" W, 82.79 feet to the Point of Beginning;

Thence from the Point of Beginning N 37° 55' 15" W along the northeasterly line of Lot 23 of Emigrant Meadows, 683.93 feet to a 5/8" rebar; Thence S 88° 03' 45" W, 907.00 feet to a point which is the beginning of meander line one (1), (marked by a set 5/8" x 18" rebar with aluminum cap stamped Meander-1). The mean high water line of the Yellowstone River bears N 88° 03' 45" E, 20.00 feet from this point. Thence along meander line one (1) along said Yellowstone River the following eighteen courses, (all marked by a set 5/8" x 18" rebar with aluminum cap stamped Meander-1):

- 1) N 05° 05' 59" E, 172.27 feet;
- 2) N 37° 31' 21" E, 135.43 feet;
- 3) N 39° 35' 41" E, 155.22 feet;
- 4) N 46° 38' 35" E, 171.50 feet;

- 5) N 55° 27' 15" E, 191.82 feet;
- 6) N 66° 55' 42" E, 206.16 feet;
- 7) N 70° 57' 22" E, 312.97 feet;
- 8) N 67° 34' 49" E, 274.47 feet;
- 9) N 77° 29' 40" E, 186.47 feet;
- 10) S 87° 59' 23" E, 178.13 feet;
- 11) S 76° 57' 11" E, 179.80 feet;
- 12) S 40° 15' 50" E, 73.26 feet;
- 13) S 03° 43' 27" W, 78.69 feet;
- 14) S 16° 19' 33" W, 112.02 feet;
- 15) S 28° 24' 06" W, 66.60 feet;
- 16) S 17° 12' 32" W, 56.10 feet;
- 17) N 71° 09' 22" E, 56.10 feet;
- 18) N 68° 17' 47" E, 45.90 feet;

to the end of meander line one (1) along aforesaid Yellowstone River and the beginning of meander line two (2) along the mean high water line of the former Yellowstone River bed (right bank) as such existed in 1888; Thence along said meander line two (2) the following courses (all marked by a set 5/8" x 18" rebar with aluminum cap stamped Meander-2):

- 19) S 10° 21' 54" W, 203.58 feet;
- 20) S 00° 09' 57" W, 104.64 feet;
- 21) S 09° 48' 02" W, 40.87 feet;
- 22) S 34° 23' 45" W, 114.70 feet;
- 23) S 20° 13' 32" W, 134.93 feet;
- 24) S 32° 52' 32" W, 164.05 feet;
- 25) S 36° 38' 12" W, 118.61 feet;
- 26) S 28° 19' 28" W, 228.61 feet;
- 27) S 27° 46' 34" W, 75.08 feet;
- 28) S 42° 33' 11" W, 39.43 feet;

to the Point of Beginning and the end of meander line two (2) along the former Yellowstone River bed (right bank) as such existed in 1888. The above described accreted land being 33.032 acres along with and subject to any existing easements.

This Disclaimer of Interest is subject to the reservation of the State of Montana of: the fee simple ownership of the active bed of the Yellowstone River between the low-water marks pursuant to Sections 70-1-202 and 70-16-201, MCA; and the State's reservation of an easement for the public's use between high-water marks of the Yellowstone River, pursuant to 87-2-305, MCA.

IN TESTIMONY WHEREOF the State of Montana has caused these presents to be executed by the Governor and to be attested by the Secretary of State and countersigned by the Director of the Montana Department of Natural Resources and Conservation, and the Great Seal of the State, and the Seal of the State Board of Land Commissioners to be hereunto affixed this ____ day of _____, 2008.

(GREAT SEAL OF
THE STATE OF MONTANA)

BRIAN SCHWEITZER
Governor of the State of Montana

ATTEST:

BRAD JOHNSON
Secretary of State

(SEAL OF THE
STATE BOARD OF
LAND COMMISSIONERS)

Mary Sexton,
Director, Department of Natural
Resources & Conservation

STATE OF MONTANA)

: ss

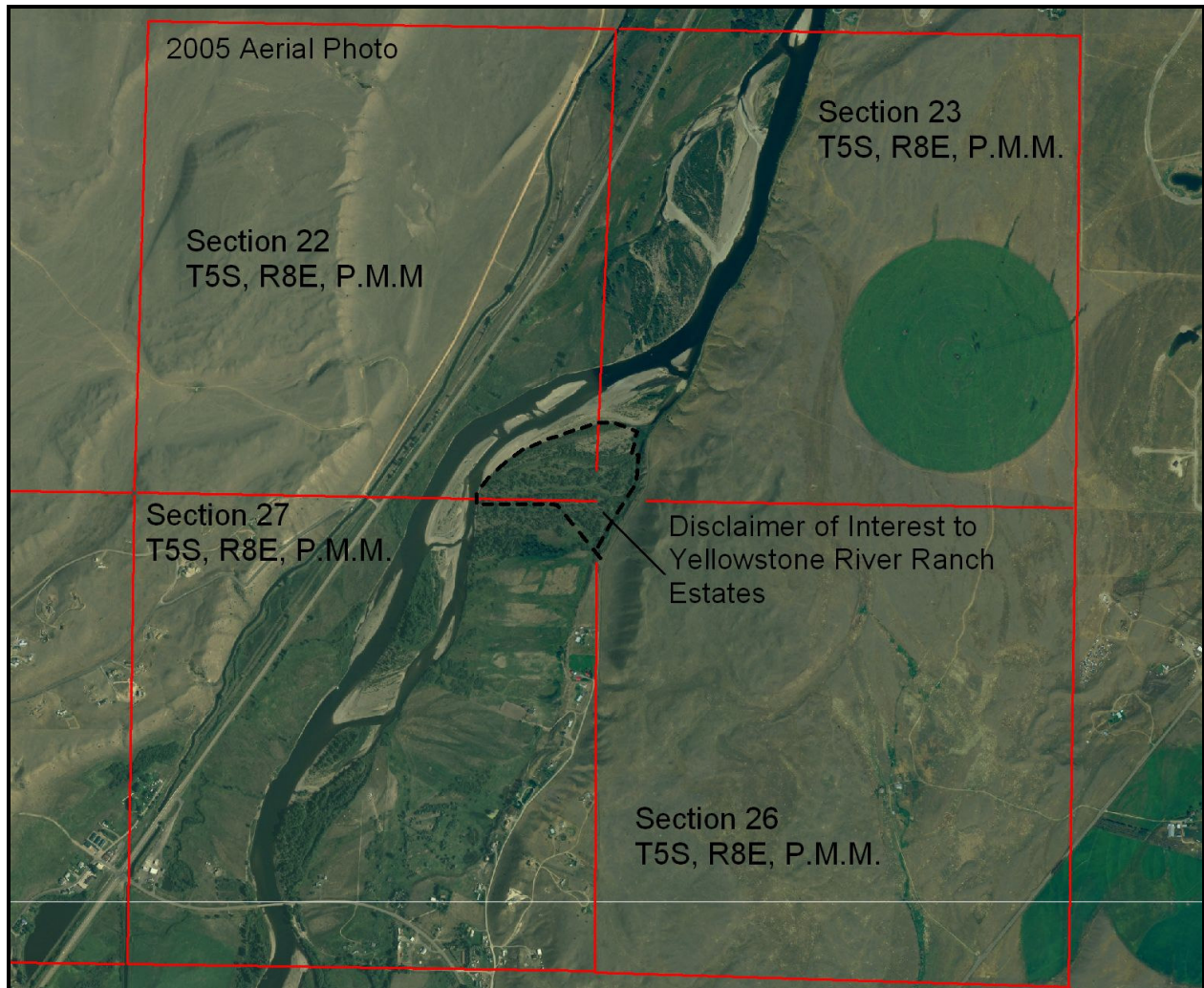
County of Park)

Document No.

Filed for record this ____ day of _____, 2008, at _____ O'Clock __M.,
recorded in Book ____ of Deeds on Pages _____ of the records of the Park County
Clerk and Recorder.

Clerk & Recorder

By: _____,
Deputy



Township 5 South, Range 8 East, Sections 22, 23, 26 and 27
Park County, Montana